

**Statement of
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**Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
Hearing on
“S. 1750 – Wyoming Public Lands Initiative Act of 2021”**

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Chairman Cortez Masto, Ranking Member Lee, and Members of the Subcommittee, I appreciate the opportunity to provide testimony on *S. 1750 – Wyoming Public Lands Initiative Act of 2021*. It is my honor and pleasure to address you today.

I am Jerimiah Rieman, Executive Director of the Wyoming County Commissioners Association (WCCA). The WCCA represents the boards of county commissioners for all twenty-three of Wyoming’s counties, many of which contain vast swaths of federal lands and minerals.

The Federal Lands Policy and Management Act (FLPMA) of 1976 required the Bureau of Land Management (BLM) to inventory federal lands for areas with “wilderness characteristics.” After identifying these “study areas,” FLPMA dictated that the BLM either recommend to Congress wilderness designation or release to multiple-use management. The establishment of wilderness study areas (WSAs) was intended to be temporary. The BLM in Wyoming issued its report in 1991, recommending that, of the state’s 577,504 acres of WSAs, 240,364 acres be designated wilderness. Congress has not acted on the BLM’s recommendations and therefore Wyoming’s 42 WSAs have exist in limbo.

Thirty-one years have elapsed since the BLM began managing Wyoming’s WSAs as *de facto* wilderness. The WCCA launched the Wyoming Public Lands Initiative (WPLI) as an open and transparent process following well-defined principles and guidelines. Our objective was a locally-produced, Wyoming-specific legislative lands package to address designation or provide management direction for WSAs in Wyoming and, where appropriate, consider and pursue other public land management issues and opportunities affecting Wyoming’s landscape.

Each of Wyoming’s 23 counties received formal invitations from the WCCA to engage in the WPLI process, however, participation was discretionary. Counties formed advisory committees comprised of the key public land stakeholders who were charged with gathering background information, evaluating current WSA data, and considering additional resource uses, inventories, and management of the landscape irrespective of existing management boundaries. Further, advisory committee members were expected to establish and maintain active dialogue with members of their respective interest group.

The public attended meetings, site visits, and other forums and were encouraged to provide presentations, engage in commentary, and submit proposals for consideration. Minutes were taken and, collectively, other documents produced by or circulated among the advisory committee (e.g., maps, options, proposals, recommendations, etc.), were posted on the interactive WPLI Information Hub which is accessible from the WCCA's website.

Advisory committee work focused on generating ideas and developing draft recommendations. Once complete, final recommendations were advanced to the appropriate board of county commissioners in 2018 and, thereafter, to the WCCA for legislative drafting. Consensus was an aspiration, however, not demanded. For some, consensus means vetoes exist and, unfortunately, those groups rest on my way or highway approaches. It is untenable that communities be under this Sword of Damocles. Nevertheless, Wyoming's counties ensured everyone's voice was heard and developed collaborative legislation.

S. 1750 – Wyoming Public Lands Initiative Act of 2021 (S. 1750) was written in Wyoming – NOT Washington, D.C. It is the result of years of stakeholder work that included communities, conservation organizations, outdoor recreation groups, mineral industries, ranching and agriculture, and wildlife associations. These organizations found common ground on wilderness designation in multiple areas, while directing management of others consistent with the BLMs resource management plans. S. 1750 conserves public lands in Campbell, Carbon, Fremont, Hot Springs, Johnson, Natrona, and Washakie counties.

Carbon County

In Carbon County, S. 1750 designates the Encampment River Canyon and Prospect Mountain WSAs as wilderness and, outside existing WSAs, establishes the Black Cat Special Management Area. Further, S. 1750, places the Bennett Mountain WSA under special management area governance. In 1991, the BLM determined the Bennett Mountain WSA was not suitable for wilderness designation. In other words, the BLM determined: (1) man's imprint is noticeable, (2) the WSA lacks opportunities for solitude or primitive, unconfined recreation, (3) its size make it impracticable for preservation, and/or (4) it does not contain features of scientific, educational, scenic, or historical value.

Fremont and Natrona Counties

In Fremont and Natrona Counties, S. 1750 places the Sweetwater Rocks under special management area governance, consolidating the Lankin Dome, Split Rock, Savage Peak, and Miller Springs WSAs. The BLM determined these areas were not suitable for wilderness designation.

Fremont County

In Fremont County, S. 1750 designates the Sweetwater Canyon WSA as wilderness, adding 2,974 acres more than the BLM recommended for wilderness designation. Further, S. 1750:

- Releases the Copper Mountain and Whiskey Mountain WSAs to multiple-use management, subject to management restrictions, and
- Creates the Dubois Badlands Recreation Area and National Conservation Area.

The BLM determined these areas were not suitable for wilderness designation.

Campbell and Johnson Counties

In Campbell and Johnson Counties, S. 1750 places the Fortification Creek WSA under special management area governance. The BLM determined this area was not suitable for wilderness designation.

Johnson County

In Johnson County, S. 1750, places the Gardner Mountain and North Fork WSAs under special management area governance and corrects BLM naming errors. The BLM determined these areas were not suitable for wilderness designation.

Hot Springs and Washakie Counties

In Hot Springs and Washakie Counties, S. 1750 places the Cedar Mountain WSA under special management area governance. The BLM determined more than half of the Cedar Mountain WSA was not suitable for wilderness designation.

Washakie County

In Washakie County, S. 1750, designates nearly half of the Bobcat Draw WSA as wilderness. The remaining portion is controlled by special management prescriptions. The Big Horn County section of the Bobcat Draw WSA was excluded from the WPLI process. Further, S. 1750, releases the Honeycombs WSA to multiple-use management.

Of emphasis, with one exception, every WSA released from “study” is arranged under special management area governance and has meaningful restrictive prescriptions applied, such as, withdrawal from mineral and geothermal leasing. Accordingly, development is not likely. However, special management area designation may provide the BLM with flexibility, where necessary, to control noxious weeds or perform hazardous fuels treatments to protect communities from catastrophic flooding, wildfire, and other disasters.

S. 1750 exemplifies leadership and attention to local collaboration and represents many adjustments and compromises. The legislation considers existing uses, respects valid rights, and balances different outdoor recreational demands. In total, S. 1750 has been thoroughly vetted and includes protections that benefit all Wyomingites, Americans, and these important landscapes.

In closing, the WPLI rests on Article 1 of The Constitution of the United States – that Congress, not federal agencies, has authority to designate wilderness. The WPLI requires Congressional action to implement. Without your support we cannot provide Wyoming communities any certainty. The WPLI represents a good faith effort to provide Congress with sound recommendations. Wyoming counties participated not because success was guaranteed, but, where agreement exists among neighbors, Congress might act. Nothing can please everyone, but the process worked, and it is time to move forward.

The WCCA looks forward to working this Subcommittee and Congress to advance S. 1750 in its entirety. I thank you for the opportunity to testify today and would answer any questions this Subcommittee has.